

IFW



O I P E  
AUG 25 2004  
U.S. PATENT AND TRADEMARK OFFICE  
U.S. DEPARTMENT OF COMMERCE

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/769,551	01/30/2004	Russell Steel	2562.SMII.NP

## CONFIRMATION NO. 5856

26986  
MORRISS O'BRYANT COMPAGNI, P.C.  
136 SOUTH MAIN STREET  
SUITE 700  
SALT LAKE CITY, UT 84101

## FORMALITIES LETTER



\*OC000000013021336\*

Date Mailed: 06/22/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/26/2004 MAHMED1 00000022 10769551

01 FC:1001 770.00 OP  
02 FC:1051 130.00 OP

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1); See Figure(s) 1,2,3,7,10-14,17.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

---

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**TRANSMITTAL  
FORM**

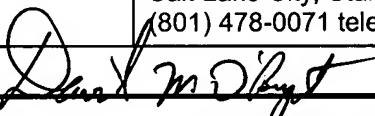
(to be used for all correspondence after initial filing)

		Application Number	10/769,551
		Filing Date	January 30, 2004
		First Named Inventor	Russell Steel
		Group Art Unit	3742
		Examiner Name	Unknown
Total Number of Pages in This Submission (including this sheet)	18	Attorney Docket No.	2562.SMII.NP

**ENCLOSURES (check all that apply)**

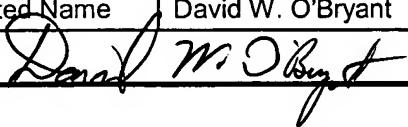
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> _____ month	<input type="checkbox"/> Maintenance Fee Transmittal <input type="checkbox"/> _____ year
<input type="checkbox"/> Appeal Communication: <input type="checkbox"/> Appeal Notice <input type="checkbox"/> Appeal Brief <input type="checkbox"/> Reply Brief	<input type="checkbox"/> Fee Calculation Table	<input checked="" type="checkbox"/> Missing Parts Response
<input type="checkbox"/> Assignment with Cover Sheet	<input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form 1449 <input type="checkbox"/> Copies of IDS References	<input type="checkbox"/> Notification of Change of Attorney Address & Docket Number
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Issue Fee Transmittal & Advance Order	<input checked="" type="checkbox"/> Return Postcard
<input type="checkbox"/> Check in the amount of \$_____	<input type="checkbox"/> Revocation & Power of Attorney	
<input checked="" type="checkbox"/> Credit card authorization in the amount of \$ <u>900.00</u>	<input type="checkbox"/> Status Inquiry	
<input type="checkbox"/> Declaration & Power of Attorney	<input type="checkbox"/> Other:	
<input checked="" type="checkbox"/> Drawings <u>14</u> sheets <input checked="" type="checkbox"/> Formal <input type="checkbox"/> Informal	<b>Remarks</b>	

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Attorney for Applicant	David W. O'Bryant, Registration No. 39,793 MORRISS O'BRYANT COMPAGNI, P.C. 136 South Main Street, Suite 700 Salt Lake City, Utah 84101 (801) 478-0071 telephone; (801) 478-0076 facsimile		
Signature		Date	8/23/2004

**CERTIFICATE OF MAILING UNDER 37 CFR § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the date indicated below, in an envelope addressed to Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or Printed Name	David W. O'Bryant		
Signature		Date	8/23/2004

**OP FEE TRANSMITTAL**  
for FY 2004  
AUG 25 2004 *Patent fees are subject to annual revision.*

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT**

\$900.00

Complete if Known	
Application Number	10/760,551
Filing Date	January 30, 2004
First Named Inventor	Russell Steel
Examiner Name	Unknown
Group Art Unit	3742
Attorney Docket No.	2562.SMII.NP

**METHOD OF PAYMENT (check all that apply)**

Check  Credit Card  Money Order  Other  None

Deposit Account:

Deposit Account

50-0881

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments

Charge any additional fee(s)

Charge fee(s) indicated below, except the filing fee to the above-identified

**FEE CALCULATION**

**1. BASIC FILING FEE**

Large Entity | Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	770.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				\$770.00	

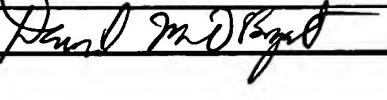
**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	1 -20	0 X =	
Independent	1 -3	0 X =	
Multiple Dependent			

Large Entity | Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				\$0.00

FEE CALCULATION (continued)					
Large Entity	Small Entity				
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	130.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive -unavoidable	
1453	1,330	2453	665	Petition to revive -unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR §1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	\$130.00

Name (Print/Type)	David W. O'Bryant	Registration No.	39,793	Telephone	(801) 478-0071
Signature				Date	8/28/2004